

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

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|--------------------------------|---|--------------------------------|
| CUMMINS INC., |) | |
| |) | |
| CUMMINS POWER GENERATION INC., |) | |
| |) | |
| CUMMINS ENGINE IP, INC., |) | |
| |) | Civ. No.: 1:06-cv-00095 |
| Plaintiffs, |) | |
| |) | Judge Sarah Evans Barker |
| v. |) | |
| |) | Mag. Judge Jane Magnus-Stinson |
| |) | |
| TAP ENTERPRISES, INC., |) | |
| |) | |
| Defendant. |) | |
| |) | |

STIPULATED MOTION TO DISMISS WITH PREJUDICE

All parties, having settled their dispute, hereby stipulate that all claims and counterclaims in the captioned lawsuit be dismissed with prejudice, with each party to bear its own costs and attorney fees.

Dated: November 27, 2007

Respectfully submitted,

/s/ Laurin H. Mills

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